

**AGENDA
 FERRIS CITY COUNCIL
 CITY OF FERRIS
 A GENERAL LAW MUNICIPAL CORPORATION OF THE
 STATE OF TEXAS, ELLIS COUNTY
 AT THE
 COUNCIL CHAMBERS
 215 W. SIXTH STREET, FERRIS, TEXAS 75125
 6:00 P.M. MONDAY, MAY 4, 2015**

NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF THE CITY OF FERRIS WILL MEET IN REGULAR SESSION AT 6:00 P.M. ON THE 4TH DAY OF MAY, 2015 AT ITS REGULAR MEETING PLACE AT 215 W. SIXTH STREET, FERRIS, TEXAS FOR THE PURPOSE OF CONSIDERING:

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
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COUNCIL BUSINESS

- | | | |
|----|--|---|
| 1. | Call to order. | 0 |
| | <ul style="list-style-type: none"> • Invocation • Pledge of Allegiance | |
| 2. | Roll call to determine the presence of a quorum. | 1 |

CONSENT AGENDA

- | | | |
|----|--|---|
| 3. | All matters listed under Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Mayor/City Manager to execute all matters necessary to implement each item. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the City Council. | |
| | <ul style="list-style-type: none"> • Minutes of April 20, 2015 Joint City Council and Planning and Zoning meeting • Expenditures for the periods ending April 17th, April 21st, April 27th, and April 30th, 2015. | 2 |

Sep. Cov.

PUBLIC COMMENT

4. The City Council welcomes comments from the public. Those wishing to speak must sign in with the City Secretary before the meeting begins. Speakers may speak on any topic, whether on the agenda or not. The City Council cannot act upon, discuss issues raised, or make any decisions at this time. Speakers must observe a three minute time limit. Total time allocation for Public Comments is fifteen minutes. Groups of individuals wanting to discuss the same item must select one spokesperson. Inquiries regarding matters not listed on the Agenda may be referred to Staff for research and possible future action. 0

PROCLAMATIONS

5. Proclamation recognizing May 2015 as "National Preservation Month". 8
6. Proclamation recognizing the week of May 10, 2015 as "Police Week". 10

CLOSING

7. Adjourn. 0

Executive Session Reservation

The City Council reserves the right to convene into an Executive Session (closed to the public) as authorized by Section 551.071(2) of the TEXAS GOVERNMENT CODE, for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.

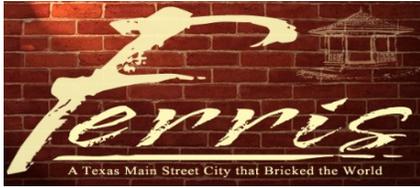
Disability Assistance and Accommodation

Persons with disabilities who plan to attend this meeting and who may need assistance should contact the City Secretary at (972) 544-2110 two working days prior to the meeting so that appropriate arrangements can be made.

I, DESTINY LUSK WRIGHT, HEREBY CERTIFY THE FOREGOING NOTICE WAS POSTED ON OR BEFORE THE 1ST DAY OF MAY, 2015 BY 5:00 P.M.



DESTINY LUSK WRIGHT
CITY SECRETARY



City Council

Meeting Attendance Record 2014-2015

City Council		Oct.		Nov.		Dec.		Jan.		Feb.		March		Apr.		May		June		July		Aug.		Sept.	
Title	Name	6	20	3	17	1	15	5	20	2	17	2	16	6	20	4	18	1	15	6	20	3	17	8	21
Mayor	Micheal Driggers	P	A	P	P	-	P	-	P	P	P	P	P	P	P										
Mayor Pro Tem	James Starr	P	P	P	P	-	P	-	P	P	P	P	P	P	P										
Alderman, Place 2	Jay Walsh	P	P	P	P	-	A	-	P	P	P	P	P	P	P										
Alderman, Place 3	Angela Bruner	P	P	P	P	-	P	-	P	A	P	P	P	P	P										
Alderman, Place 4	Gary Ross	P	A	P	A	-	P	-	P	P	A	P	P	P	P										
Alderman, Place 5	Carol Wright	P	P	P	P	-	P	-	P	P	P	P	P	P	P										
Total:		6	4	6	5	-	5	-	6	5	5	6	6	6	6										

City Staff		Oct.		Nov.		Dec.		Jan.		Feb.		March		Apr.		May		June		July		Aug.		Sept.	
Title	Name	6	20	3	17	1	15	5	20	2	17	2	16	6	20	4	18	1	15	6	20	3	17	8	21
City Manager	Dennis Burn	P	P	P	P	-	P	-	P	P	P	P	P	P	P										
City Secretary	Destiny Wright	P	P	P	P	-	P	-	P	P	P	P	P	P	P										
City Attorney	Kent Hofmeister	P	A	A	A	-	A	-	A	A	A	A	A	A	A										
Fire Chief	Tim Birdwell	P	P	P	P	-	P	-	P	P	P	P	P	P	P										
I.T. Director	Doug Childers	P	P	P	P	-	P	-	P	P	P	P	P	P	P										
Eco. Dev. Coordinator	Chuck Dart	P	P	P	A	-	P	-	P	P	P	P	P	P	P										
Finance Director	Melissa Gonzalez	P	P	P	P	-	A	-	P	P	P	P	P	A	P										
Library Director	Kathy Harrington	P	P	P	P	-	P	-	P	P	P	A	P	P	P										
Chief Building Official	Bill Jordan	P	P	P	P	-	P	-	P	P	P	P	P	P	P										
Police Chief	Sam Love	P	P	P	P	-	P	-	A	P	P	A	P	P	P										
Total:		10	9	9	8	-	8	-	8	9	9	7	9	8	9										

Mayor, "Will the City Secretary call the roll?"

The City Secretary calls each Member's position and name.

They respond if they are present.

City Secretary, "Mayor, a quorum is present."

P	Present
A	Absent

**STATE OF TEXAS
COUNTY OF ELLIS**

THE FERRIS CITY COUNCIL MET IN A JOINT SESSION WITH THE PLANNING AND ZONING COMMISSION APRIL 20, 2015 AT 6:00 P.M. IN THE COUNCIL CHAMBERS LOCATED AT 215 W. SIXTH STREET, FERRIS, TEXAS.

COUNCIL ATTENDANCE		
Mayor	Micheal Driggars	P
Mayor Pro Tem	James Starr	P
Alderman, Place 2	Jay Walsh	P
Alderman, Place 3	Angela Bruner	P
Alderman, Place 4	Gary Ross	P
Alderman, Place 5	Carol Wright	P

STAFF ATTENDANCE		
City Manager	Dennis Burn	P
City Secretary	Destiny Wright	P
City Attorney	Kent Hofmeister	A
Fire Chief	Tim Birdwell	P
I.T. Director	Doug Childers	P
Eco. Dev. Coordinator	Chuck Dart	P
Finance Director	Melissa Gonzalez	P
Library Director	Kathy Harrington	P
Chief Building Official	Bill Jordan	P
Police Chief	Sam Love	P

COMMISSION ATTENDANCE		
Chair	Jim Kay	P
Commissioner, Place 2	Rudy Amor	P
Commissioner, Place 3	Bill Malloy	P
Commissioner, Place 4	Vacant	-
Vice Chair	Charles Hatfield	P
Commissioner, Place 6	Christi Farish	P
Commissioner, Place 7	Richard Barrett	P

COUNCIL BUSINESS

1. Call to order.

- **Invocation**
- **Pledge of Allegiance**

Mayor Driggars called the meeting to order at 6:00 P.M. The invocation was given by Alderman Ross.

2. Roll call of the City Council to determine the presence of a quorum.

City Secretary Wright called roll and determined that a quorum of the City Council was present.

- 3. Roll call of the Planning and Zoning Commission to determine the presence of a quorum.**

City Secretary Wright called roll and determined that a quorum of the Planning and Zoning Commission was present.

CONSENT AGENDA – CITY COUNCIL

- 4. All matters listed under Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Mayor/City Manager to execute all matters necessary to implement each item. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the City Council.**

- **Minutes of April 6, 2015 City Council meeting**
- **Expenditures for the periods ending March 31, 2015 and April 3, 2015**

Alderman Ross moved to approve the Consent Agenda. Seconded by Alderman Bruner. For: Unanimous. Motion carried 5-0-0.

APPROVAL OF MINUTES – PLANNING AND ZONING COMMISSION

- 5. Consider approval of meeting minutes for the Joint City Council and Planning and Zoning meeting of March 16, 2015.**

Commissioner Barrett moved to approve the meeting minutes for the Joint City Council and Planning and Zoning meeting of March 16, 2015. Seconded by Commissioner Amor. For: Unanimous. Motion carried 6-0-0.

PUBLIC COMMENT

- 6. The City Council welcomes comments from the public. Those wishing to speak must sign in with the City Secretary before the meeting begins. Speakers may speak on any topic, whether on the agenda or not. The City Council cannot act upon, discuss issues raised, or make any decisions at this time. Speakers must observe a three minute time limit. Total time allocation for Public Comments is fifteen minutes. Groups of individuals wanting to discuss the same item must select one spokesperson. Inquiries regarding matters not listed on the Agenda may be referred to Staff for research and possible future action.**

Alderman Walsh expressed his appreciation to Police Chief Sam Love and the Ferris Police Department for showing their support by attending the execution of Kent Sprouse and for holding a vigil at the Police Memorial on April 9, 2015. Sprouse murdered Ferris Police Officer Harry Marvin Steinfeldt III and citizen Pedro Moreno in October 2002.

DISCUSSION

7. **Discussion regarding Zoning Change Application No. 15FER-ZON001 filed by Trinity Materials, Inc. for a change in zoning from Commercial Corridor and Commercial Neighborhood Retail to Planned Development-4 on property located at Lot 10A Block 5 in the OT Ferris Subdivision, Ferris, Ellis County, Texas generally located on approximately .9542 acres located west of North Main Street and north of West Fifth Street.**

City Manager Burn informed Council and the Commission that the City has received an application for a Zoning Change filed by Trinity Materials, Inc. No action taken for Agenda Item 7.

PUBLIC HEARING

8. **Open Public Hearing.**

Mayor Driggars opened the Public Hearing at 6:15 P.M.

9. **Conduct Joint Public Hearing to consider Zoning Change Application No. 15FER-ZON001 filed by Trinity Materials, Inc. for a change in zoning from Commercial Corridor and Commercial Neighborhood Retail to Planned Development-4 on property located at Lot 10A Block 5 in the OT Ferris Subdivision, Ferris, Ellis County, Texas generally located on approximately .9542 acres located west of North Main Street and north of West Fifth Street.**

No comments made.

10. **Close Public Hearing.**

Mayor Driggars closed the Public Hearing at 6:15 P.M.

PLANNING AND ZONING COMMISSION BUSINESS

11. **Final report by the Planning and Zoning Commission regarding Zoning Change Application No. 15FER-ZON001 filed by Trinity Materials, Inc. for a change in zoning from Commercial Corridor and Commercial Neighborhood Retail to Planned Development-4 on property located at Lot 10A Block 5 in the OT Ferris Subdivision, Ferris, Ellis County, Texas generally located on approximately .9542 acres located west of North Main Street and north of West Fifth Street.**

Chairman Kay indicated he would like for the City Attorney to verify that the procedure for a zoning change had been correctly followed (due to a development schedule not being included with application). Therefore, Commissioner Barrett moved to not recommend the approval of Zoning Change Application No. 15FER-ZON001. Seconded by Commissioner Amor. For: Unanimous. Motion carried 6-0-0.

COUNCIL BUSINESS

12. **Discussion, consideration, and action as may be appropriate regarding Ordinance No. O-15-790 amending the Zoning Ordinance and the Official Zoning Map by approving Zoning Change Application No. 15FER-ZON001 filed by Trinity Materials, Inc. for a change in zoning from Commercial Corridor and Commercial Neighborhood Retail to Planned Development-4 on property located at Lot 10A Block 5 in the OT Ferris Subdivision, Ferris, Ellis County, Texas generally located on approximately .9542 acres located west of North Main Street and north of West Fifth Street.**

Alderman Walsh moved to approve Ordinance No. O-15-790 contingent upon verification by the City Attorney that the procedure for a zoning change had been correctly followed (in regards to the development schedule issue). Seconded by Alderman Wright. For: Unanimous. Motion carried 5-0-0.

City Manager Burn has contacted the City Attorney and was advised that the proper procedure for a zoning change had been correctly followed. See excerpt from Section 3 of the Ordinance:

“A Development Schedule is not required for approval of this planned development in that an existing structure on the Property is proposed for use and no additional structures are planned or proposed.”

CLOSING – PLANNING AND ZONING COMMISSION

13. Adjourn: Planning and Zoning Commission.

Vice Chair Hatfield moved to adjourn the Planning and Zoning Commission. Seconded by Commissioner Farish. For: Unanimous. The motion carried 6-0-0. With no further business to come before the Planning and Zoning Commission, Chairman Kay adjourned the Commissioners at 6:34 P.M.

ORDINANCES

14. Discussion, consideration, and action as may be appropriate regarding Ordinance No. O-15-787 establishing a “Code of Conduct” for public officials and city employees.

Mayor Pro Tem Starr moved to approve Ordinance No. O-15-787. Seconded by Alderman Ross. For: Unanimous. Motion carried 5-0-0.

15. Discussion, consideration, and action as may be appropriate regarding Ordinance No. O-15-789 amending the budget for the fiscal year beginning October 1, 2014 and ending September 30, 2015.

Mayor Pro Tem Starr moved to approve Ordinance No. O-15-789. Seconded by Alderman Ross. For: Unanimous. Motion carried 5-0-0.

EXECUTIVE SESSION

16. Announcement by the presiding officer that a closed meeting will take place as authorized by Section 551.074 of the Texas Open Meetings Act – “Personnel Matters”. A governmental body may conduct a closed meeting to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a city officer or employee, or to hear complaints or charges against such officer or employee, unless such officer or employee request a public hearing.

- **Evaluation of City Secretary, Destiny Wright, and City Manager, Dennis Burn, and discussion of future consideration for their positions.**

17. Adjourn the Public Meeting.

Mayor Driggars adjourned the public meeting at 6:45 P.M.

18. Conduct Executive Session as authorized by Section 551.074 of the Texas Open Meetings Act – “Personnel Matters”.

- **Evaluation of City Secretary, Destiny Wright, and City Manager, Dennis Burn, and discussion of future considerations for their positions.**

19. Reconvene into Open Session.

Mayor Driggars reconvened into open session at 7:50 P.M.

20. Action as a result of the above-listed Executive Session.

Alderman Bruner moved to approve the increase in City Secretary Wright’s salary by the amount discussed in Executive Session. Seconded by Mayor Pro Tem Starr. For: Unanimous. Motion carried 5-0-0.

Alderman Bruner moved to approve the increase in City Manager Burn’s salary by the amount discussed in Executive Session. Seconded by Mayor Pro Tem Starr. For: Starr, Bruner, Wright. Against: Walsh, Ross. Motion carried 3-2-0.

CLOSING

21. Adjourn.

Mayor Pro Tem Starr moved to adjourn the meeting. Seconded by Alderman Walsh. For: Unanimous. The motion carried 5-0-0. With no further business to come before the council, Mayor Driggars adjourned the meeting at 7:53 P.M.

APPROVED THIS THE 4TH DAY OF MAY, 2015.

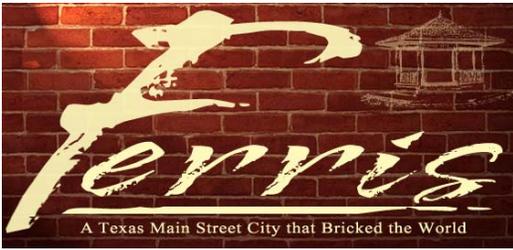
Micheal L. Driggars, Mayor

ATTEST:

APPROVED AS TO FORM:

Destiny Lusk Wright, City Secretary

Kent Hofmeister, City Attorney



MEMORANDUM

DATE: May 4, 2015
FROM: City Manager, Dennis Burn
TO: Mayor and City Council

SUBJECT: National Preservation Month May, 2015
May 4, 2015 City Council Meeting

Each year Main Street communities across the nation celebrate National Preservation Month. The City of Ferris in the past has issued similar proclamations.

I recommend that you approve this proclamation and authorize the Mayor to sign it.

*PROCLAMATION
OF RECOGNITION
FROM THE CITY OF FERRIS*

WHEREAS, our city's history is recorded in our architecture and landscapes; and

WHEREAS, generations to come will know their history thanks to the work of historic preservationists today; and

WHEREAS, the reuse of existing buildings preserves natural resources and promotes energy conservation; and

WHEREAS, historic preservation adds millions of dollars to the state's economy, creates jobs and promotes tourism; and

WHEREAS, the biographies, photographs, drawings and music of our citizens tells the story of our people; and,

WHEREAS, historic buildings and landscapes give each place a unique identity; and,

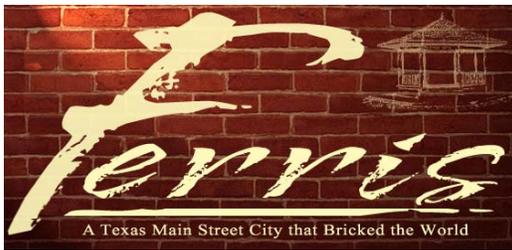
WHEREAS, the City of Ferris recognizes the financial, social, cultural and environmental imperative of historic preservation;

NOW THEREFORE BE IT RESOLVED, that the Ferris City Council hereby proclaims May 2015 to be National Preservation Month.

SIGNED IN THE CITY OF FERRIS, TEXAS, THIS 4th DAY OF MAY, 2015.

FERRIS CITY COUNCIL

Micheal L. Driggars, Mayor



MEMORANDUM

DATE: May 4, 2015
FROM: City Manager, Dennis Burn
TO: Mayor and City Council

SUBJECT: Police Memorial Week Proclamation May 10-16, 2015
May 4, 2015 City Council Meeting

Police Memorial Week is Sunday, May 10, 2015 to Saturday, May 16, 2015. There will be a ceremony at the Ellis County Law Enforcement Memorial on Friday, May 15th at Veterans Memorial Park in Ennis at noon. There will be a Ferris Police Department ceremony on Friday, May 15th at the Police Officer Memorial in downtown Ferris at 6:00 PM.

I recommend that you approve this proclamation and authorize the Mayor to sign it.

Proclamation

Of Recognition From the City of Ferris Police Week May 10-16, 2015

WHEREAS, there are approximately 900,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Ferris Police Department; and

WHEREAS, some 60,000 assaults against law enforcement officers are reported each year, resulting in approximately 16,000 injuries; and

WHEREAS, since the first recorded death in 1791, over 20,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty, including 2 members of the Ferris Police Department; and

WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.; and

WHEREAS, in 2015 there will be 286 new names of fallen heroes added to the National Law Enforcement Officers Memorial.

WHEREAS, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 27th Annual Candlelight Vigil, on the evening of May 13, 2015;

WHEREAS, the Candlelight Vigil is part of National Police Week, which takes place this year on May 10-16;

WHEREAS, May 15 is designated as Peace Officers Memorial Day in honor of all fallen officers and their families.

NOW, THEREFORE, I, Micheal L. Driggars, Mayor of the City of Ferris, and on behalf of the Ferris City Council, do hereby designate May 10-16, 2015, as Police Week in Ferris, Texas and publicly salute the service of law enforcement officers in our community and in communities across the nation.

Office of the Mayor, City of Ferris, County of Ellis, State of Texas

In Witness Whereof, I have hereunto set my hand this 4th day of May, 2015, and caused this seal to be affixed.

Micheal L. Driggars, Mayor